

FIREFIGHTERS' PENSION COMMITTEE

NEW FIREFIGHTERS' PENSION SCHEME

DRAFT BLUE PRINT

Note by ODPM

1. This paper follows on from FPC(05)13 and FPC(05)16. It deals with the Parts of the Blue Print for the new scheme covering the transfer of pensions into and out of the scheme (Part F), the responsibilities of Fire and Rescue Authorities to decide issues regarding the scheme (Part H) and the withdrawal of pension awards and review of ill health pensions and cancellation of awards (Part K).

2. **Part F – Transfers into and out the pension scheme**

This sets out the how pensions can be transferred into and out of the scheme. The Government Actuary has suggested that the transfer provisions as laid out in the Principal Civil Service Pension Scheme could form the basis of the transfer arrangements for the new Firefighters' Pension Scheme.

3. **Part H – Determination of questions and appeals**

- H1 Determination by the Fire and Rescue Authority
- H2 Appeal against opinion on a medical issue
- H3 Appeal to the Fire and Rescue Authority Disputes under the Internal Disputes Resolution Procedures
- H4 IDRPs Procedures

Particular issues to note are:

- The appeals set out in the scheme will concern only pension awards. Appeals in respect of qualifying injuries and injury benefits will be dealt with under the Firefighters' Compensation Scheme. Identical appeal arrangements will apply for each scheme and this will ensure that when an appeal is in respect of matters related to both the NFPS and the FCS, a single appeal hearing will be possible.
- The Internal Disputes Resolution Procedures (IDRP) has been included within the scheme rather than repeating H3 from the existing scheme, which provides for appeal to the Crown Court where a person's entitlement to an award is not admitted by the FRA. We take the view that it is burdensome for a Crown Court judge to adjudicate on what is essentially a civil matter and that if the scheme member is dissatisfied with the outcome of IDRPs, he/she should have the option of taking the matter to the Pensions Ombudsman.

4. Part K – Revision and Withdrawal of Awards

K1 Review and cancellation of ill health pensions

K2 Withdrawal of pension during service as a firefighter

K3 Withdrawal of pension on conviction of certain offences

Particular issues for discussion include:

- The view taken is that while a higher tier ill health award may be subject to reduction and both higher and lower tier awards may be cancelled if the condition improves so that the individual could undertake duties appropriate to the role from which he/she was retired on ill health grounds. We are not proposing that there should be the possibility of any increase in an award e.g. a switch to a higher tier award if there is deterioration in the condition before the normal pension age.
- In the list offences which could lead to withdrawal of pension the proposal is to include survivor pensions where the prospective recipient is convicted of the unlawful killing of the scheme member.

*ODPM
December 2005*